

V. COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS

Coordination and evaluation of required compliance with specific Federal acts, executive orders, and other policies for the various alternatives were achieved, in part, through the coordination of this document with appropriate agencies and the public. This section documents compliance with all applicable Federal statutes, executive orders, and policies.

1. National Environmental Policy Act of 1969

The proposed action complies with the NEPA of 1969, as amended (42 U.S.C. 4321, *et seq.* P.L. 91-190). The Service has prepared this Draft EIS for the promulgation of MMPA regulations consistent with the requirements of NEPA.

2. Endangered Species Act of 1973

The proposed action complies with the ESA of 1973, as amended (16 U.S.C. 1531, *et seq.* P.L. 93-205). The Service will conduct intra-Service section 7(a)(2) consultation on the proposed action in the Final EIS for the promulgation of incidental take regulations for the Florida Manatee consistent with the requirements of the ESA.

3. Marine Mammal Protection Act

The proposed action complies with the MMPA (MMPA) of 1972, as amended (16 U.S.C. 1361-1407). The Service has prepared this Draft EIS for the promulgation of incidental take regulations for the Florida Manatee consistent with the requirements of the MMPA.

4. Clean Water Act of 1972

The proposed action complies with the CWA, as amended, Federal Water Pollution Control Act (33 U.S.C. 1251, *et seq.* P.L. 92-500).

5. Clean Air Act of 1972

The proposed action complies with Section 309 of the Clean Air Act of 1972, as amended (42 U.S.C. 1857h-7, *et seq.* P. L. 91-604).

6. National Historic Preservation Act of 1966 (inter Alia)

The National Historic Preservation Act, as amended (16 U.S.C. 470a, *et seq.* P.L. 89-655); the Archeological and Historic Preservation Act, as amended, and Executive Order 11593 does not apply to the proposed action.

7. Coastal Zone Management Act of 1972

The CZMA of 1972, as amended (16 U.S.C. 1451, *et seq.* P.L. 92-583) does not apply to the proposed action.

8. Wild and Scenic River Act of 1968

No designated Wild and Scenic river reaches would be affected by the proposed action. The Wild and Scenic River Act of 1968, as amended (16 U.S.C. 1271, *et seq.* P.L. 90-542) is not applicable.

9. Estuary Protection Act of 1968

No designated estuary would be affected by the proposed action. The Estuary Protection Act of 1968, (16 U.S.C. 1221, *et seq.* P.L. 90-454) is not applicable.

10. Fishery Conservation and Management Act of 1976

The Fishery Conservation and Management Act of 1976, as amended, (16 U.S.C. 1801-1882, *et seq.* P.L. 94-265) does not apply to the proposed action.

11. Lands Act of 1953

The proposed action is in compliance with the State Sovereignty and Submerged Lands program and the Submerged Lands Act of 1953, (43 U.S.C. 1301, *et seq.*).

12. Barrier Resources Act and Coastal Barrier Improvement Act of 1990

There are no designated coastal barrier resources that would be affected by the proposed action. The Coastal Barrier Resources Act, (16 U.S.C. 3501, *et seq.* P.L. 97-348), and Coastal Barrier Improvement Act of 1990 is not applicable to this proposed action.

13. Rivers and Harbors Act of 1899

The proposed action will not obstruct navigable waters of the U.S. The Rivers and Harbors Act of 1899, as amended (33 U.S.C. 401, *et seq.*) is not applicable.

14. Anadromous Fish Conservation Act

As defined in the Anadromous Fish Conservation Act, 16 U.S.C. 757a-g, 79 Stat. 1125, as amended by P.L. 89-304, anadromous fish species would not be affected by the proposed action.

15. Migratory Bird Treaty Act and Migratory Bird Conservation Act

No migratory birds would be affected by the proposed action. The project is in compliance with the Migratory Bird Conservation Act (16 U.S.C. 715-715d, 715e, 715f-715r; 45 Stat. 1222) and the Migratory Bird Treaties and other international agreements listed in the ESA of 1973, as amended, Section 2(a)(4).

16. Marine Protection, Research, and Sanctuaries Act

The Marine Protection, Research and Sanctuaries Act, 33 U.S.C. 1401, *et seq.* P.L. 92532 (33 U.S.C. 1402)(f) does not apply to the proposed action.

17. Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation Act, as amended in 1996 (16 U.S.C. 1801, *et seq.* P.L. 94-265). No adverse effect on fisheries would result from the proposed action.

18. E.O. 11990, Protection of Wetlands

Provisions of this executive order do not apply.

19. E.O. 11988, Flood Plain Management

Provisions of this executive order do not apply.

20. E.O. 12898, Environmental Justice

Executive Order 12898, Federal Actions to Address *Environmental Justice* in Minority Populations and Low-Income Populations, provides that *each* Federal agency shall make *achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority or low-income populations.* The proposed action is being developed in compliance with E.O. 12898.

21. E.O. 13045, Protection of Children

Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, requires each Federal agency to *identify and assess environmental risks and safety risks that may disproportionately affect children and ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.* The proposed action is being developed in compliance with E.O. 12898.

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